

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ROBERT HARRISON KALK,

Plaintiff,

v.

GLENN FUNK,

Defendant.

No. 3:22-cv-00243

ORDER


Before the Court is a Report and Recommendation (“R&R”) (Doc. No. 35) recommending the Court grant Defendant Glenn Funk’s Motion to Dismiss (Doc. No. 27). Kalk, proceeding *pro se*, failed to file a timely objection.

A party’s failure to “timely object to a report and recommendation releases the Court from its duty to independently review the matter.” Lawhorn v. Buy Buy Baby, Inc., No. 3:20-cv-00201, 2021 WL 1063075, at *1 (M.D. Tenn. Mar. 19, 2021); see also Thomas v. Arn, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).

Regardless, the Court thoroughly reviewed the R&R and agrees with the Magistrate Judge’s recommended disposition. Thus, the R&R (Doc. No. 35) is **APPROVED AND ADOPTED**. Defendant Funk’s Motion to Dismiss (Doc. No. 27) is **GRANTED**. Accordingly, this action is **DISMISSED WITH PREJUDICE**.

This is a final order. The Clerk shall enter judgment in accordance with Federal Rule of Civil Procedure 58 and close the file.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE